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11 NAHUM CHAVEZ-MARTINEZ

Filed

APR 04 2013

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA, ) No. CR 12-00633-DLJ  
12 Plaintiff, ) No. CR 12-00796-DLJ  
13 vs. ) **[PROPOSED] ORDER ON**  
14 NAHUM CHAVEZ-MARTINEZ, ) **STIPULATION TO CONTINUE**  
15 Defendant. ) **SENTENCING HEARING**  
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17 1. Mr. Chavez was indicted on August 22, 2012, for a violation of 8 U.S.C. § 1326 (case  
18 number CR 12-00633-DLJ). Thereafter, on November 7, 2012, Mr. Chavez was separately  
19 indicted for a violation of 21 U.S.C. § 841 (a)(1) (case number CR 12-00796-DLJ).

20 2. Following plea negotiations with the United States, Mr. Chavez changed his pleas to  
21 guilty before this Honorable Court on January 17, 2013. The sentencing hearing was scheduled  
22 for April 11, 2013.

23 3. Counsel for Mr. Chavez has missed a great deal of time from work during the last  
24 month or so, due to the sickness of a child that culminated in a hospital admission. As a result,  
25 Counsel has not been able to meet with Ms. Bel'Ochi, the United States Probation Officer  
26 ("USPO Bel'Ochi") assigned to prepare the Presentence Report ("PSR"), to conduct the  
STIPULATION TO CONTINUE SENTENCING;  
[PROPOSED] ORDER  
CR 12-00633-DLJ and CR 12-00796-DLJ

1 presentence investigation interview. Consequently, USPO Bel'Ochi has not been able to prepare  
2 a PSR.

3           4. Accordingly, the sentencing hearing shall be continued from April 11, 2013 to July  
4           10:00  
11, 2013, at 9:00 a.m.

## 5 IT IS SO ORDERED.

7 Dated: APRIL 4, 2013

**HON. D. LOWELL JENSEN**  
United States District Judge

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